

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANDREA TANTAROS,

Plaintiff,

- against -

FOX NEWS NETWORK, LLC, ROGER AILES, WILLIAM
SHINE, IRENA BRIGANTI, PETER A. SNYDER,
DISRUPTOR, INC. and JOHN DOES 1-50,

Defendants.
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17 Civ. 2958 (GBD)

**DECLARATION OF BENJAMIN M. ROSE IN SUPPORT OF MOTION BY
DEFENDANTS FOX NEWS NETWORK, LLC AND IRENA BRIGANTI FOR
EXPEDITED RULE 11 DISCOVERY**

I, BENJAMIN M. ROSE, hereby declare that:

1. I am an attorney duly admitted to practice before this Court and am an associate of Dechert LLP, 1095 Avenue of the Americas, New York, New York, counsel to Defendants Fox News Network, LLC and Irena Briganti in this case. I submit this declaration to submit relevant documents in support of the Motion by Defendants Fox News Network, LLC and Irena Briganti for Expedited Rule 11 Discovery.

2. Attached hereto as Exhibit 1 is a true and correct copy of a log of text messages filed in *Krechmer v. Tantaros*, No. 16 Civ. 07820 (KBF) (S.D.N.Y.), ECF No. 106-13.

According to the Court's docket, this document became publicly available on August 22, 2017 but was filed under seal and served on November 4, 2016.

3. Attached hereto as Exhibit 2 is a proposed subpoena to Twitter, Inc.

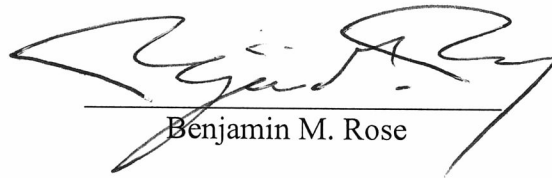
4. Attached hereto as Exhibit 3 is a proposed subpoena to Michael Krechmer, a/k/a Michael Malice.

5. Attached hereto as Exhibit 4 is a proposed subpoena to Inga Lee Norton.

6. Attached hereto as Exhibit 5 is a proposed subpoena to Daniel Wayne Block.

7. Attached hereto as Exhibit 6 is a true and correct copy of pretrial order number 39 entered in *In re Digitek Prod. Liab. Litig.*, MDL No. 1968 (S.D.W. Va. Aug. 28, 2009), also available at http://www.wvsc.uscourts.gov/MDL/pdfs/PTO_39.pdf, cited at page 8 of the accompanying Memorandum of Law.

I declare under penalty of perjury that the foregoing is true and accurate. Executed at New York, New York on October 6, 2017.



Benjamin M. Rose